

### C. Remarks

In the Office Action, claims 17, 98-101, 103, 125, 126, and 128 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moravvej-Farshi *et al.* ("Novel Self-Aligned Polysilicon-Gate MOSFETS with Polysilicon Source and Drain," Solid State Electronics, Vol. 30, No. 10, 1987, pp. 1053-1062) ("Moravvej-Farshi") in view of U.S. Patent No. 5,534,447 to Hong ("Hong"). Claim 102 stands rejected under § 103(a) as being unpatentable over Moravvej-Farshi and Hong in view of U.S. Patent No. 6,130,482 to Iio *et al.* ("Iio"). Applicants respectfully traverse the rejections as follows.

#### Section 103 Rejections

##### Claims 17, 98-103, 125, 126

Applicants have amended claim 17 to recite that the transistor formed on a substrate assembly includes:

- a first field oxide region at least partially recessed within the substrate assembly and in communication with the raised drain structure;
- and
- a second field oxide region at least partially recessed within the substrate assembly and in communication with the raised source structure

Applicants submit that support for this amendment may be found throughout the specification and figures as filed, such as, for example, in Figures 1-11.

Applicants submit that a *prima facie* case of obviousness under 35 U.S.C. §103(a) requires, among other things, that the cited references, when combined, teach or suggest every element of the claim. See MPEP §2142. Applicants submit that the Office has not established a *prima facie* case of obviousness because not all elements of claim 17 are taught or suggested by the cited references.

More specifically, Applicants submit that Moravvej-Farshi, Hong, and Iio, either alone or in combination, fail to teach or suggest, among other things, a transistor formed on a substrate assembly that includes:

a first field oxide region at least partially recessed within the substrate assembly and in communication with the raised drain structure;  
and

a second field oxide region at least partially recessed within the substrate assembly and in communication with the raised source structure

as recited in claim 17. In fact, Applicants submit that Moravvej-Farshi, Hong, and Iio are silent regarding the above recited features.

For at least the above reasons, Applicants submit that claim 17, as well as claims 98-103 depending therefrom, are nonobvious over the cited references, either alone or in combination. See MPEP §2143.03 (stating that if an independent claim is nonobvious under §103(a), then any claim depending therefrom is nonobvious). Accordingly, Applicants respectfully request that the §103 (a) rejections of claims 17 and 98-103 be withdrawn.

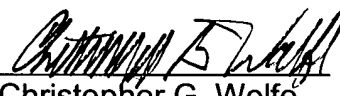
#### Claims 125-126 and 128

Claim 125 is directed to a transistor formed on a substrate assembly and has been amended in a manner similar to claim 17. Therefore, for reasons analogous to those presented above with respect to claim 17, Applicants submit that claim 125, as well as claim 126 depending therefrom, are nonobvious over the cited references. Also, claim 128 is directed to a transistor formed on a substrate assembly and has been amended in a manner similar to claim 17. Applicants therefore respectfully request that the § 103(a) rejection of claims 125-126 and 128 be withdrawn.

**D. Conclusion**

Applicants respectfully request issuance of a Notice of Allowance for the subject application. If the Examiner is of the opinion that the subject application is in condition for disposition other than allowance, the Examiner is respectfully requested to contact the undersigned representative at the telephone number listed below, in order that the Examiner's concerns may be expeditiously addressed.

Respectfully submitted,

  
Christopher G. Wolfe  
Registration No. 56,264

KIRKPATRICK & LOCKHART NICHOLSON GRAHAM LLP  
Henry W. Oliver Building  
535 Smithfield Street  
Pittsburgh, Pennsylvania 15222-2312  
Telephone: (412) 355-6798  
Facsimile: (412) 355-6501  
Customer No. 26285